

## CITY OF NEWTON, MASSACHUSETTS

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## **ZONING BOARD OF APPEALS**

Sherri Boivin, Board Secretary

## NOTICE OF DECISION

A Public Hearing has been held with regard to the following petitions before the City of Newton Zoning Board of Appeals. The decisions were determined as follows:

- #21-04 from Robert and Kate Infantino, 121 Windsor Road, Newton, requesting a variance from the maximum story requirement of the Newton Revised Zoning Ordinances, Section 30-15, Table One in order to add one story to an existing 2.5 story addition, resulting in a 3.5 story addition. (Maximum number of stories for *old* and *new* lots is 2.5.) The property is located in a Single Residence 2 District. The petitioners' request for a variance was denied, 3-2.
- #22-04 from Marc Resnick and Maureen Sullivan, 235 Mt. Vernon Street, Newton, requesting a 5.19 foot variance from the side yard setback requirements of the Newton Revised Zoning Ordinances, Section 30-15, Table One for an existing garage located 2.31 feet from the easterly property line which will become attached to the main dwelling by a new two story addition. (Required side yard setback for *old* lots created prior to December 7, 1953 is 7.5 feet.) The property is located in a Single Residence 2 District. The petitioners' request for a variance was granted, subject to conditions, 5-0.
- #23-04 from Karen Reynolds-Feld and Jon Feld of 47 Bernard Street, Newton, requesting a 1.8 foot variance from the side yard setback requirements of the Newton Revised Zoning Ordinances, Section 30-15, Table One on the southerly side of the property to legalize an existing noncompliant addition, resulting in a side yard setback of 5.7 feet. Petitioners also request a 2.6-foot variance from the side yard setback requirements on the northerly side of the property to legalize two central air conditioning pads, resulting in a side yard setback of 4.9 feet. (Required side yard setback for *old* lots created prior to December 7, 1953 is 7.5 feet.) The property is located in a Single Residence 3 District. The petitioners' request for a variance was granted, subject to conditions, 5-0.

Any appeal of the above decisions must be made to the Superior Court within twenty (20) days of its filing with the City Clerk in accordance with Section 17 of the Massachusetts General Law, Chapter 40A.

Decision numbers 21-04, 22-04 and 23-04 were filed on March 7, 2005.